

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,
Plaintiff,

v.

FRANK R. PARLATO, JR.,
Defendant.

**NOTICE OF MOTION
TO FILE UNDER SEAL
Case No: 15-CR-149-RJA**

S I R S :

PLEASE TAKE NOTICE, that upon the annexed affidavit of Herbert L. Greenman., Esq. and Paul J. Cambria, Jr., Esq. the undersigned moves this Court for an Order permitting defense to file document under seal consistent with the relief sought in the affidavit annexed hereto and made a part hereof, together with such other and further relief as to this Court may seem just and proper.

DATED: Buffalo, New York
April 24, 2023

Respectfully submitted,

/s/Herbert L. Greenman

HERBERT L. GREENMAN, ESQ.
LIPSITZ GREEN SCIME CAMBRIA, LLP
Attorneys for Defendant
FRANK R. PARLATO, JR.
Office and Post Office Address
42 Delaware Avenue - Suite 300
Buffalo, New York 14202
(716) 849-1333
hgreenman@lglaw.com
pcambria@lglaw.com

TO: Michael DiGiacomo, Esq.
Charles M. Kruly, Esq.
Assistant United States Attorneys
138 Delaware Ave.
Buffalo, New York 14202

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,
Plaintiff,

v.

FRANK R. PARLATO, JR.,
Defendant.

**AFFIDAVIT
TO FILE UNDER SEAL
Case No: 15-CR-149-RJA**

STATE OF NEW YORK)
COUNTY OF ERIE) ss:
CITY OF BUFFALO)

HERBERT L. GREENMAN, ESQ., being duly sworn, deposes and says:

1. I, along with Paul J. Cambria, Jr., represent the defendant, Frank R. Parlato, Jr.
2. Your deponent requests that the defendant's position relative to consideration of a letter submitted to the Court by TN and whether the Court may/or should consider the letter, be filed under seal because the information set forth therein deals with issues that are sensitive in the case and that they should not be made available to the public.

WHEREFORE, your deponent prays that this Court rule accordingly.

DATED: Buffalo, New York
April 24, 2023

Respectfully submitted,

/s/Herbert L. Greenman
Herbert L. Greenman, ESQ.
LIPSITZ GREEN SCIME CAMBRIA LLP
Attorneys for Defendant, FRANK R. PARLATO, JR.
Office and Post Office Address
42 Delaware Avenue, Suite 120
Buffalo, New York 14202
(716) 849-1333

Subscribed and sworn to before me this
24th day of April, 2023

/s/Elizabeth M. Jagord-Ward

Notary Public State of New York,

Qualified in Erie County
My Commission expires 10/31/26

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

v.

FRANK R. PARLATO, JR.,

Defendant.

ORDER
Case No: 15-CR-149-RJA

UPON THE MOTION OF THE DEFENDANT position relative to consideration of a letter submitted to the Court by TL and whether the Court may/or should consider the letter be filed under seal, it is

ORDERED, that defendant's motion is granted and the Court will file said document under seal.

IT IS SO ORDERED.

HON. RICHARD J. ARCARA
UNITED STATES DISTRICT COURT

DATED: April ___, 2023